

Form PTO - 1449 (Modified)

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| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE | | ATTY. DOCKET NO. 5159-11100US01 | SERIAL NO. 10/698,966 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | | APPLICANT Marino, et al. | |
| | | FILING DATE October 31, 2003 | GROUP 3738 |

(37 CFR 1.98 (b))

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | PATENT NUMBER | ISSUE DATE | PATENTEE | CLASS | SUB CLASS | FILING DATE |
|---------------------|-----|---------------|---------------|-----------------------|-------|--------------|----------------|
| /BP/ | A1 | 3 8 6 7 7 2 8 | 02/25/75 | Stubstad, et al. | | | |
| | A2 | 4 3 0 9 7 7 7 | 01/12/82 | Patil | | | |
| | A3 | 4 3 4 9 9 2 1 | 09/21/82 | Kuntz | | | |
| | A4 | 4 7 5 9 7 6 6 | 07/26/88 | Buettner-Janz, et al. | | | |
| | A5 | 4 7 5 9 7 6 9 | 07/26/88 | Hedman, et al. | | | |
| | A6 | 4 7 7 2 2 8 7 | 09/20/88 | Ray, et al. | | | |
| | A7 | 4 8 6 3 4 7 7 | 09/05/89 | Monson | | | |
| | A8 | 4 9 1 1 7 1 8 | 03/27/90 | Lee, et al. | | | |
| | A9 | 4 9 3 2 9 7 5 | 06/12/90 | Main, et al. | | | |
| /BP/ | A10 | 4 9 4 6 3 7 8 | 08/07/90 | Hirayama, et al. | | | |

US PUBLISHED APPLICATIONS

(Note: Applicant is not required to submit a paper copy of cited US Published Applications)

| EXAMINER INITIAL | | PATENT NUMBER | PUB. DATE | PATENTEE | CLASS | SUB CLASS | FILING DATE |
|---------------------|-----|---------------------|--------------|-----------------|-------|--------------|----------------|
| /BP/ | A11 | 2002/0128714 | 09/12/2002 | Manasas, et al. | | | |
| /BP/ | A12 | 2002/0130112 | 09/19/2002 | Manasas, et al. | | | |
| /BP/ | A13 | 2003/0018390 | 01/23/2003 | Husson | | | |
| /BP/ | A14 | 2004/044332 2043332 | 07/22/2004 | Krueger, et al. | | | |

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

| | | DOCUMENT NUMBER | PUBLI- CATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUB CLASS | TRANS- LATION |
|------|----|-----------------|--------------------------|-----------------------------|-------|--------------|------------------|
| /BP/ | B1 | 2 7 9 9 6 3 8 | 20.04.2001 | FR | | | YES NO |
| /BP/ | B2 | 0 0 0 4 8 5 1 | 03.02.2000 | WO | | | |
| /BP/ | B3 | 0 0 7 4 6 0 6 | 14.12.2000 | WO | | | |
| /BP/ | B4 | 0 1 0 1 8 9 3 | 11.01.2001 | WO | | | |
| /BP/ | B5 | 0 1 1 9 2 9 5 | 22.03.2001 | WO | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

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|----------|--------------------|---|
| /BP/ | C1 | Viscogliosi, et al., Spine Arthroplasty, 1-215 (2001) |
| EXAMINER | /Brian Pellegrino/ | DATE CONSIDERED 05/25/2007 |

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|---------------------|-----|---------------|---------------|-----------------------|-------|--------------|----------------|
| /BP/ | A15 | 5 0 4 7 0 5 5 | 09/10/91 | Bao, et al. | | | |
| | A16 | 5 0 7 1 4 3 7 | 12/10/91 | Steffee | | | |
| | A17 | 5 1 0 8 4 3 8 | 04/28/92 | Stone | | | |
| | A18 | 5 1 2 3 9 2 6 | 06/23/92 | Pisharodi | | | |
| | A19 | 5 1 7 1 2 8 1 | 12/15/92 | Parsons, et al. | | | |
| | A20 | 5 1 9 2 3 2 6 | 03/09/93 | Bao, et al. | | | |
| | A21 | 5 2 4 6 4 5 8 | 09/21/93 | Graham | | | |
| | A22 | 5 2 5 8 0 3 1 | 11/02/93 | Salib, et al. | | | |
| | A23 | 5 3 0 6 3 0 7 | 04/26/94 | Senter, et al. | | | |
| | A24 | 5 3 0 6 3 0 9 | 04/26/94 | Wagner, et al. | | | |
| | A25 | 5 3 1 4 4 7 7 | 05/24/94 | Marnay | | | |
| | A26 | 5 3 2 0 6 4 4 | 06/14/94 | Baumgartner | | | |
| | A27 | 5 3 7 0 6 9 7 | 12/06/94 | Baumgartner | | | |
| | A28 | 5 4 0 1 2 6 9 | 03/28/95 | Buettner-Janz, et al. | | | |
| | A29 | 5 4 2 5 7 7 3 | 06/20/95 | Boyd, et al. | | | |

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| EXAMINER | /Brian Pellegrino/ | | |
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|---------------------|-----|---------------|---|---|---|---|---|---|---------------|-------------------|-------|--------------|----------------|
| /BP/ | A30 | 5 | 4 | 5 | 8 | 6 | 4 | 2 | 10/17/95 | Beer, et al. | | | |
| | A31 | 5 | 4 | 5 | 8 | 6 | 4 | 3 | 10/17/95 | Oka, et al. | | | |
| | A32 | 5 | 5 | 1 | 4 | 1 | 8 | 0 | 05/07/96 | Heggeness, et al. | | | |
| | A33 | 5 | 5 | 2 | 2 | 8 | 9 | 9 | 06/04/96 | Michelson | | | |
| | A34 | 5 | 5 | 3 | 4 | 0 | 2 | 8 | 07/09/96 | Bao, et al. | | | |
| | A35 | 5 | 5 | 3 | 4 | 0 | 3 | 0 | 07/09/96 | Navarro, et al. | | | |
| | A36 | 5 | 5 | 5 | 6 | 4 | 3 | 1 | 09/17/96 | Buettner-Janz | | | |
| | A37 | 5 | 5 | 6 | 2 | 7 | 3 | 8 | 10/08/96 | Boyd, et al. | | | |
| | A38 | 5 | 6 | 7 | 4 | 2 | 9 | 4 | 10/07/97 | Bainville, et al. | | | |
| | A39 | 5 | 6 | 7 | 6 | 7 | 0 | 1 | 10/14/97 | Yuan, et al. | | | |
| | A40 | 5 | 6 | 7 | 6 | 7 | 0 | 2 | 10/14/97 | Ratron | | | |
| | A41 | 5 | 6 | 8 | 3 | 4 | 6 | 4 | 11/04/97 | Wagner, et al. | | | |
| | A42 | 5 | 6 | 8 | 3 | 4 | 6 | 5 | 11/04/97 | Shinn, et al. | | | |
| | A43 | 5 | 7 | 0 | 2 | 4 | 5 | 0 | 12/30/97 | Bisserie | | | |
| /BP/ | A44 | 5 | 7 | 5 | 5 | 7 | 9 | 7 | 05/26/98 | Baumgartner | | | |

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| /BP/ | A45 | 5 | 7 | 8 | 2 | 8 | 3 | 2 | 07/21/98 | Larsen, et al. | | | |
| | A46 | 5 | 8 | 0 | 0 | 5 | 4 | 9 | 09/01/98 | Bao, et al. | | | |
| | A47 | 5 | 8 | 2 | 4 | 0 | 9 | 3 | 10/20/98 | Ray, et al. | | | |
| | A48 | 5 | 8 | 2 | 4 | 0 | 9 | 4 | 10/20/98 | Serhan, et al. | | | |
| | A49 | 5 | 8 | 2 | 7 | 3 | 2 | 8 | 10/27/98 | Buttermann | | | |
| | A50 | 5 | 8 | 6 | 1 | 0 | 4 | 1 | 01/19/99 | Tienboon | | | |
| | A51 | 5 | 8 | 6 | 5 | 8 | 4 | 6 | 02/02/99 | Bryan, et al. | | | |
| | A52 | 5 | 8 | 8 | 8 | 2 | 2 | 0 | 03/30/99 | Felt, et al. | | | |
| | A53 | 5 | 8 | 8 | 8 | 2 | 2 | 6 | 03/30/99 | Rogozinski | | | |
| | A54 | 5 | 8 | 9 | 3 | 8 | 8 | 9 | 04/13/99 | Harrington | | | |
| | A55 | 5 | 8 | 9 | 5 | 4 | 2 | 7 | 04/20/99 | Kuslich, et al. | | | |
| | A56 | 5 | 8 | 9 | 5 | 4 | 2 | 8 | 04/20/99 | Berry | | | |
| | A57 | 5 | 8 | 9 | 9 | 9 | 4 | 1 | 05/04/99 | Nishijima, et al. | | | |
| | A58 | 5 | 9 | 6 | 1 | 5 | 5 | 4 | 10/05/99 | Janson, et al. | | | |
| /BP/ | A59 | 5 | 9 | 7 | 6 | 1 | 8 | 6 | 11/02/99 | Bao, et al. | | | |

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5159-11100US01SERIAL NO.
10/698,966INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT

Marino, et al.

FILING DATE

October 31, 2003

GROUP

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(37 CFR 1.98 (b))

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| /BP/ | A60 | 5 | 9 | 8 | 4 | 9 | 6 | 7 | 11/16/99 | Zdeblick, et al. | | | |
| | A61 | 6 | 0 | 0 | 1 | 1 | 3 | 0 | 12/14/99 | Bryan, et al. | | | |
| | A62 | 6 | 0 | 1 | 9 | 7 | 9 | 2 | 02/01/2000 | Cauthen | | | |
| | A63 | 6 | 0 | 2 | 2 | 3 | 7 | 6 | 02/08/2000 | Assell, et al. | | | |
| | A64 | 6 | 0 | 3 | 9 | 7 | 6 | 3 | 03/21/2000 | Shelokov | | | |
| | A65 | 6 | 0 | 9 | 3 | 2 | 0 | 5 | 07/25/2000 | McLeod, et al. | | | |
| | A66 | 6 | 1 | 1 | 0 | 2 | 1 | 0 | 08/29/2000 | Norton, et al. | | | |
| | A67 | 6 | 1 | 1 | 3 | 6 | 3 | 7 | 09/05/2000 | Gill, et al. | | | |
| | A68 | 6 | 1 | 3 | 2 | 4 | 6 | 5 | 10/17/2000 | Ray, et al. | | | |
| | A69 | 6 | 1 | 3 | 6 | 0 | 3 | 1 | 10/24/2000 | Middleton | | | |
| | A70 | 6 | 1 | 3 | 9 | 5 | 7 | 9 | 10/31/2000 | Steffee, et al. | | | |
| | A71 | 6 | 1 | 4 | 6 | 4 | 2 | 1 | 11/14/2000 | Gordon, et al. | | | |
| | A72 | 6 | 1 | 5 | 6 | 0 | 6 | 7 | 12/05/2000 | Bryan, et al. | | | |
| | A73 | 6 | 1 | 6 | 2 | 2 | 5 | 2 | 12/19/2000 | Kuras, et al. | | | |
| /BP/ | A74 | 6 | 1 | 6 | 5 | 2 | 1 | 8 | 12/26/2000 | Husson, et al. | | | |

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| | | | | | | | | | | | | | YES | NO |
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|---------------------|-----|---------------|---|---|---|---|---|---|---------------|------------------|-------|--------------|----------------|
| /BP/ | A75 | 6 | 1 | 7 | 9 | 8 | 7 | 4 | 01/30/2001 | Cauthen | 625 | 17.14 | |
| | A76 | 6 | 1 | 8 | 7 | 0 | 4 | 8 | 02/13/2001 | Milner, et al. | | | |
| | A77 | 6 | 2 | 0 | 6 | 9 | 2 | 4 | 03/27/2001 | Timm | | | |
| | A78 | 6 | 2 | 1 | 4 | 0 | 4 | 9 | 04/10/2001 | Gayer, et al. | | | |
| | A79 | 6 | 2 | 2 | 8 | 1 | 1 | 8 | 05/08/2001 | Gordon | 623 | 17.15 | |
| | A80 | 6 | 2 | 9 | 6 | 6 | 6 | 4 | 10/02/2001 | Middleton | | | |
| | A81 | 6 | 3 | 1 | 5 | 7 | 9 | 7 | 11/13/2001 | Middleton | | | |
| | A82 | 6 | 3 | 3 | 1 | 1 | 7 | 9 | 12/18/2001 | Freid, et al. | | | |
| | A83 | 6 | 3 | 4 | 8 | 0 | 7 | 1 | 02/19/2002 | Steffee, et al. | | | |
| | A84 | 6 | 3 | 6 | 8 | 3 | 5 | 0 | 04/09/2002 | Erickson, et al. | | | |
| | A85 | 6 | 3 | 7 | 1 | 9 | 9 | 0 | 04/16/2002 | Ferree | | | |
| | A86 | 6 | 3 | 9 | 5 | 0 | 3 | 2 | 05/28/2002 | Gauchet | | | |
| | A87 | 6 | 3 | 9 | 5 | 0 | 3 | 4 | 05/28/2002 | Suddaby | | | |
| | A88 | 6 | 4 | 0 | 2 | 7 | 8 | 4 | 06/11/2002 | Wardlaw | | | |
| /BP/ | A89 | 6 | 4 | 0 | 2 | 7 | 8 | 5 | 06/11/2002 | Zdeblick, et al. | | | |

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| /BP/ | A90 | 6 | 4 | 1 | 9 | 7 | 0 | 4 | 07/16/2002 | Ferree | | | |
| | A91 | 6 | 4 | 4 | 0 | 1 | 6 | 8 | 08/27/2002 | Cauthen | | | |
| | A92 | 6 | 4 | 5 | 4 | 7 | 6 | 9 | 09/24/2002 | Wagner, et al. | | | |
| | A93 | 6 | 4 | 7 | 8 | 8 | 2 | 2 | 11/12/2002 | Leroux, et al. | 623 | 17.14 | |
| | A94 | 6 | 4 | 8 | 2 | 2 | 3 | 4 | 11/19/2002 | Weber, et al. | | | |
| /BP/ | A95 | 6 | 5 | 2 | 0 | 9 | 9 | 6 | 02/28/2003 | Manasas, et al. | | | |

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